

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CR. No.: 2:05cr290-MHT
)	
EDDIE ANDREW GORDON)	

**UNOPPOSED MOTION IN LIMINE TO
EXCLUDE REFERENCE TO NARCOTICS SEIZED**

COMES NOW the Defendant, Eddie Andrew Gordon, and by and through undersigned counsel, and hereby moves *in limine* and without opposition to exclude reference to the narcotics seized from Room 103 of the Coliseum Inn located at 1550 Federal Drive, Montgomery, Alabama. In support of this filing the defendant states:

- 1) On November 22, 2004, the Defendant was arrested in Room 103 of the Coliseum Inn located at 1550 Federal Drive, Montgomery, Alabama (hotel room).
- 2) The government alleges a firearm was in Mr. Gordon's constructive possession at the time of his arrest and this alleged criminal conduct forms the basis for the charge pending in this court.
- 3) In addition to the firearm, narcotics were also located and seized from within the hotel room.
- 4) Without opposition, the defendant moves to prohibit the government from referencing the narcotics seized in the hotel room.¹

¹ However, the defense acknowledges that if defense strategy "opens the door" to the presentation of evidence regarding the narcotics seized, the Court may allow the government to present evidence regarding all narcotic evidence seized which includes statements made by Mr. Gordon referencing his knowledge of the presence of the narcotics in the hotel room.

Dated this 31st day of July 2006.

Respectfully submitted,

s/ Kevin L. Butler
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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tommie Hardwick, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler
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